IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO. 3918 of 2004.
IN
FIRST APPEAL NO. 923 OF 1995.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Nitin Jamdar for the Applicant.

CORAM : ABHAY S.OKA, J.
DATED : 20th Sept., 2007.

P.C.:

1. Heard the learned Advocate appearing for the Applicant. In view of the averments made in the Application, the order of dismissal of the Appeal for want of prosecution deserves to be set aside. Accordingly, the Application is allowed in terms of prayer clauses (a) and (b).

2. The notice of restoration of the Appeal shall be issued to the Respondents returnable on 17th December 2007. In addition to service through Court the Advocate for the Applicant will serve private notice to the 1st Respondent and affidavit of service to be filed before returnable date. If compliance is not made, the order of dismissal of the First Appeal will stand.

Judge.